

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
(Indianapolis Division)**

**RED BARN MOTORS, INC.,  
PLATINUM MOTORS, INC., and  
MATTINGLY AUTO SALES, INC.,  
individually, and on behalf of other  
members of the general public  
similarly situated,**

**v.**

**NEXTGEAR CAPITAL, INC.,  
F/K/A DEALER SERVICES  
CORPORATION,**

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**DOCKET NO. 1:14-cv-01589-TWP-DKL  
  
CLASS ACTION**

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**ORDER GRANTING PLAINTIFFS' MOTION TO STRIKE**

Comes now the Court, having reviewed Plaintiffs' Motion to Strike and, being duly advised, finds that said motion should be and hereby is granted. The declarations of Mark Bohannon, Eric Chevalier, Garrett Jorewicz, and Troy Thompson (Dkt. 295-2, 295-3, 295-4, 295-5), along with the portions of NextGear's Motion to Decertify Class (Dkt. 295) which rely upon the inadmissible declarations, are hereby stricken.

Indianapolis, Indiana this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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**HON. TANYA W. PRATT  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA**

Service of the foregoing Order will be made electronically on all ECF-registered counsel of record via email generated by the court's ECF system.